

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GREGORY EBELING,

Petitioner,

vs.

GREGG SMITH, *et al.*,

Respondents.

3:10-cv-00356-RCJ-RAM

ORDER

Gregory Ebeling has paid the required filing fee. He has also submitted a request for enlargement of grounds (docket 1-1), a petition for writ of habeas corpus a(docket #1-2) and a motion for appointment of counsel (docket #1-3).

The Court will grant petitioner's Motion for Appointment of Counsel. The petition filed in this action includes 9 claims and has attached a large volume of exhibits and supporting documentation, suggesting that it may be a relatively complex petition. Furthermore, petitioner faces a lengthy sentence: four terms of life in prison without the possibility of parole, and four terms of four years in prison, all to run consecutively.

Therefore, the Federal Public Defender for the District of Nevada (FPD) shall be appointed to represent petitioner. If the FPD is unable to represent petitioner, due to a conflict of interest or other reason, then alternate counsel for petitioner shall be located, and the Court will enter a separate order appointing such alternate counsel. In either case, counsel will represent petitioner in all future federal

1 proceedings relating to this matter (including subsequent actions) and appeals therefrom, unless allowed
2 to withdraw.

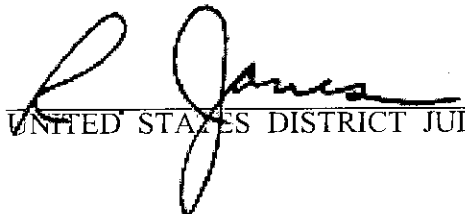
3 **IT IS THEREFORE ORDERED** that petitioner's Motion for Appointment of Counsel (docket
4 #1-3) is **GRANTED**. The Federal Public Defender is appointed to represent Petitioner.

5 **IT IS FURTHER ORDERED** that the Clerk shall **ELECTRONICALLY SERVE** the Federal
6 Public Defender for the District of Nevada (FPD) a copy of this Order, together with a copy of the
7 petition for writ of habeas corpus and its attachments (docket#1-2). The FPD shall have thirty (30) days
8 from the date of entry of this Order to file a notice of appearance or to indicate to the Court its inability
9 to represent petitioner in these proceedings.

10 **IT IS FURTHER ORDERED** that the Clerk shall **RESUBMIT** this case to the Court after the
11 FPD has appeared as counsel for petitioner, after the FPD has indicated its inability to represent
12 petitioner, or after thirty (30) days from the entry of this Order, whichever occurs first.

13 **IT IS FURTHER ORDERED** that, after counsel has appeared for petitioner in this case, the
14 Court will issue a scheduling order, which will, among other things, set a deadline for the filing of a First
15 Amended Petition.

16 DATED: This 24th day of August, 2010.

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20 UNITED STATES DISTRICT JUDGE
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